

# Organ Pipe Cactus National Monument

National Park Service  
U.S. Department of the Interior



## ORGAN PIPE CACTUS NATIONAL MONUMENT

### Superintendent's Compendium

Revised June 2016

COMPENDIUM of designations, closures, permit requirements and other restrictions imposed under the discretionary authority by the Superintendent of Organ Pipe Cactus National Monument.

In accordance with the delegated authority provided by regulations as published under Title 36 Code of Federal Regulations (36 CFR), Chapter 1, Parts 1 through 7, authorized by Title 54 United States Code, Section 102701, the following regulatory provisions are established for the management, protection, and public use of Organ Pipe Cactus National Monument under the jurisdiction of the National Park Service.

Unless otherwise stated, these regulatory provisions apply in addition to the requirements contained elsewhere in Title 36 Code of Federal Regulations, Chapter 1, Parts 1 through 7.

The closures and restrictions delineated in this compendium do not apply to official/administrative use or applications (36 CFR 1.2(d) and 1.5(a)).

Written determinations, which explain the justification behind the Superintendent's use of discretionary authority, appear in this document as italicized print.

Section 1.6(f) states that a list of activities that require a permit must be maintained. That list appears in this document under 1.6.

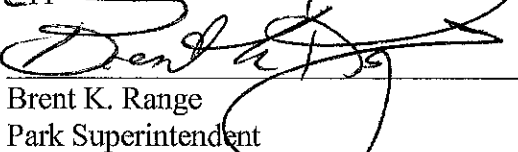
This compendium will remain in effect until specifically amended or supplemented by the Superintendent.

Recommended:

  
Matthew Fisher  
Acting Chief Ranger

6/30/2016  
Date

Approved:

  
Brent K. Range  
Park Superintendent

6-30-16  
Date

## **PART 1 - GENERAL PROVISIONS**

The Superintendent of Organ Pipe Cactus National Monument has used the discretionary authority granted by Chapter 1 of the 36 CFR 1.5(a) to establish certain closures. These closures and public use limits are necessary for the administration of the park in concert with its enabling legislation and NPS management policies for the benefit and safety of park visitors and the protection of park natural and cultural resources.

### **Section 1.5 – Visiting Hours, Public Use Limits, Closures and Area Designations for Specific Use or Activities**

- (a)(1) The following visiting hours and public use limits are established for all or for the listed portions of the park, and the following closures are established for all or a portion of the park to all public use or to a certain use or activity:

**Visiting Hours** – No special determinations at this time.

**Road Closures** – The following roads are closed to vehicular traffic except for use by the National Park Service, other Federal, state or local agencies, and other individuals in accordance with approved General Management or Resource Management & Research Plans:

- Road to the Sewage Lagoon
- APS Power Line Road
- Road to the Monument Shooting Range
- Road to the Vegetative Recycle Area
- All roads which access the Maintenance Complex and the Park Residential Area
- Road to the Well Complex off of the Twin Peaks Campground Road
- The Border Road (within the Roosevelt Easement) – including the entire length from Lukeville to the east boundary and from Lukeville to the Cabeza Prieta NWR boundary with the exception of the section between the Gachado Line Camp and Blankenship Ranch.
- The Armenta Road.

*Determination: These areas exist to facilitate the overall management of the monument and may include areas that are unsafe for the public or contain equipment and other items of value including, sensitive information.*

### **Backcountry Area Closures**

This section has been removed from the compendium.

*Determination: Changes in law enforcement staffing (NPS and USBP), infrastructure (border fences, surveillance towers, and bases), and educational material available to visitors have removed the need for large geographic closures.*

## **Unmanned Aircraft Use**

Launching, landing, or operating an unmanned aircraft from or on lands and waters administered by the National Park Service within the boundaries of Organ Pipe Cactus National Monument is prohibited except as approved in writing by the superintendent.

The term "unmanned aircraft" means a device that is used or intended to be used for flight in the air without the possibility of direct human intervention from within or on the device, and the associated operational elements and components that are required for the pilot or system operator in command to operate or control the device (such as cameras, sensors, communication links). This term includes all types of devices that meet this definition (e.g., model airplanes, quadcopters, drones) that are used for any purpose, including for recreation or commerce.

*Determination: The use of unmanned aircraft is not compatible with public health and safety, protection of environmental or scenic values, protection of natural or cultural resources, and is incompatible with officially designated wilderness.*

### **Section 1.6 – Permits**

(f) A valid permit issued by the Superintendent's Office is required for the following activities consistent with applicable legislation, federal regulations and administrative policies:

1. Public Use Activities: athletic events, races, tournaments, parades or other special events (§ 1.5)
2. Collecting Research Specimen: taking plants, fish, wildlife, rocks or minerals (§ 2.5)
3. For threatened and/or endangered species a valid Federal Fish & Wildlife License/Permit is required (50 CFR, Part 3)
4. Camping and Food Storage: permits required for designated sites and backcountry camping (§ 2.10)
5. Audio Disturbances: operating a power saw in a developed area [§ 2.12(a)(2)] or operating portable engines in a non-developed area [§ 2.12(a)(3)]
6. Operation of a public address or amplification system in connection with a public gathering or special event for which a permit has been issued pursuant to 36 CFR 2.50 or 2.51 (§ 2.12)
7. Delivery or retrieval of a person or object by parachute, helicopter or other airborne means (§ 2.17)
8. Non-commercial soliciting (§ 2.17)

9. Explosives: using, possessing, storing or transporting of explosives, blasting agents, or explosive materials [§ 2.38(a)] or using or possessing fireworks or firecrackers [§ 2.38(b)]
10. Conducting a public spectator event, pageant, wedding, ceremony, organized event similar activities (§ 2.50)
11. Public assemblies, meetings, gatherings, demonstrations, parades and other public expressions of views require a permit when the activity involves more than 25 persons or is requested for a location outside the identified designated areas. [§2.51(a)]
12. Sale or distribution of printed matter that is not solely commercial advertising requires a permit when the activity involves more than 25 persons or is requested for a location outside the identified designated areas. §2.52(c)
13. Memorialization – Scattering human or animal ashes from cremation (§ 2.62)
14. Advertisements – Display, posting or distribution (§ 5.1)
15. Engaging in or soliciting any business – requires a permit, contract, or other written agreement with the United States, or must be pursuant to special regulations.
16. Commercial filming of motion pictures or television involving the use of professional casts, settings, crews, other than bona fide newsreel or news television. [§ 5.5(a)]
17. Still photography of props, models, or sets, or other articles of commerce for the purpose of commercial advertising. [§ 5.5(b)]
18. Construction of buildings or other facilities (§ 5.7)

*Determination: Permit systems authorized and issued pursuant to specific regulations in this chapter, except Section 1.5, need not be supported by a written determination unless required by the specific authorizing regulation [48 FR 30262].*

## **PART 2 - RESOURCE PROTECTION, PUBLIC USE AND RECREATION**

### **Section 2.1- Preservation of Natural, Cultural and Archeological Resources**

(c)(1) Collection of a reasonable amount of native fruit is permitted for personal use or consumption. Quantities of fruits that can be collected are limited to (1) kilogram [2.2 pounds] per adult, per day. Commercial collecting of native fruits is prohibited to ensure that fruits are available for recreational collecting and to prevent the ecosystem from being adversely affected.

The following species are classified as native fruits for the purposes of collecting:

- Organ Pipe Cactus Fruit
- Saguaro Cactus Fruit

- Prickley Pear Cactus Fruit
- Jojoba Fruit
- Wolfberry Fruit

*Determination: The removal of native fruits in limited quantities does not have an adverse impact on park resources. Commercial harvesting of fruits would deny visitors the opportunity to experience the monument in its natural state.*

## Section 2.2- Wildlife Protection

(e) The use of artificial light to view wildlife within the monument is prohibited.

*Determination: Animal's natural habits and activities can be adversely affected while being artificially illuminated. Some of these activities include feeding, resting and mating. The proliferation of poor quality outdoor lighting is the principle threat to the night sky. Reducing the number of multiple lighting systems will allow for activities focused on public enjoyment of dark skies.*

## Section 2.10 – Camping and Food Storage

### TWIN PEAKS CAMPGROUND

#### Vehicles:

- The park entrance fee must be paid at the Visitor Center, campground kiosk or self-registration station prior to camping or occupying a site.
- Camping with a permit is allowed on a first-come, first-served basis
- One RV per campsite, with two vehicle maximum
- Washing vehicles in the campground is prohibited
- Mirrors extending more than (6) inches to side will be removed or folded in when not towing a trailer or vehicle

#### Tent Camping:

- Two tent maximum per campsite
- Maximum site occupancy is (6) persons
- Tents will only be erected on the provided tent pads (gravel area)

#### Determinations:

1. *Limitations on the number of vehicles and people at a site minimize damage to vegetation and topography as well as help maintain the characteristics of a National Park Service campground that visitors seek. Less restrictive measures would not provide adequate protection to park resources or provide reasonable opportunities or the type of campground experience the public seeks when visiting the monument.*

2. *Limiting camping to specific areas is necessary for the maintenance of public health and safety, protection of the environmental and scenic values, protection of natural resources, implementation of management responsibilities and equitable use of facilities and avoidance of conflict among visitor use activities. Nothing in this paragraph precludes long-term day use of the park by visitors.*
3. *Camping duration limits are intended to prevent domination of a campsite or the area by a relative few and to more equitably allocate use of the area. Time limits are also intended as a means to prevent an accumulation of impacts to camping areas. Such impacts include, but are not limited to: improvements to campsites, accumulation of body wastes and litter, expansion of campsite areas and trails and similar resource impacts.*

### **Stay Limits**

Camping is limited to (21) calendar days during the peak season which is designated as November 15<sup>th</sup> – April 15<sup>th</sup>.

Camping is limited to a maximum of (28) calendar days during any one calendar year.

Check-out time is 11:00 a.m.

*Determination: Camping duration limits are intended to prevent domination of a campsite or the area by a relative few and to more equitably allocate use of the area. Time limits are also intended as a means to prevent an accumulation of impacts to camping areas. Such impacts include, but are not limited to: improvements to campsites, accumulation of body wastes and litter, expansion of campsite areas and trails and similar resource impacts.*

### **Water Usage**

Washing vehicles is prohibited.

*Determination: Restricting water use by visitors reduces the overall consumption of the limited water within the Monument and controls costs.*

### **Quiet Hours**

10:00 p.m. – 6:00 a.m. daily

Unreasonable idling of recreational vehicles during quiet hours is prohibited

*Determination: Regulating noise within the Monument provides opportunities for a range of visitor experiences.*

## **Generator Hours**

Generators may be operated from 8:00 a.m. – 10:00 a.m. & 4:00 p.m. – 6:00 p.m. between Labor Day and Memorial Day. Generators may be operated any time Memorial Day to Labor Day. Generators may also be used at any time of day when ambient air temperatures are above 90 degrees Fahrenheit based on the thermometer reading at the campground kiosk.

*Determination: Regulating noise within the Monument provides opportunities for a range of visitor experiences.*

## **Electrical Outlets**

Are for the use of personal portable convenience items such as electric razors and blow-dryers. Plugging electrical extension cords into bathroom outlets is prohibited. Operating appliances, lights and accessories by hooking up to electrical outlets is prohibited.

*Determination: Restricting electrical use by visitors reduces the overall consumption of electricity within the monument and controls costs.*

## **Wood Fires**

Using native Sonoran Desert woods or vegetation for fires is prohibited, unless the visitor possesses a valid BLM or other agency collecting permit for native woods (i.e mesquite) or written permission from a private landowner in accordance with State plant laws. Burning charcoal, milled lumber, presto logs and obvious non-native woods is otherwise permitted.

Fires must adhere to the restrictions in Section 2.13.

All fires must be extinguished prior to leaving the campsite.

*Determination: Restricting campfires to designated containers reduces the severity and number of areas impacted by campfires and reduces the chance of a wildfire igniting from sparks or other debris.*

## **GROUP CAMPGROUND**

### **Camping Limit**

The park entrance fee must be paid at the Visitor Center prior to camping or occupying a site.

The Group Campground is for organized groups and available only by reservation.

Reservations are accepted no more than six months in advance.

Camping is limited to 14 days from January 15-April 30, and 30 days from May 1-January 14.

Check out time is 11 am.

*Determination: Camping duration limits are intended to prevent domination of a campsite or the area by a relative few and to more equitably allocate use of the area. Time limits are also intended as a means to prevent an accumulation of impacts to camping areas. Such impacts include, but are not limited to: improvements to campsites, accumulation of body wastes and litter, expansion of campsite areas and trails and similar resource impacts.*

## **Vehicles**

Washing vehicles in the campground is prohibited. Mirrors extending more than 6" to side will be removed or folded in when not towing a trailer/vehicle.

*Determinations:*

- 1. Restricting water use by visitors reduces the overall consumption of the limited water within the Monument and controls costs.*
- 2. Mirrors extending more than 6" are much more likely to cause "mirror slaps" with other vehicles in such constricted areas. Mirrors extending more than 6" are also more acceptable to catching vegetation in the constricted area of the campground.*

## **Quiet Hours**

Quiet hours are 10:00 pm-6:00 am. Unreasonable idling of vehicles during quiet hours is prohibited.

Generators may be operated from 8:00 a.m. – 10:00 a.m. & 4:00 p.m. – 6:00 p.m. between Labor Day and Memorial Day. Generators may be operated any time Memorial Day to Labor Day.

*Determination: Regulating noise within the Monument provides opportunities for a range of visitor experiences.*

## **Water Usage**

Water is available at the outside faucets or at the restrooms. It is prohibited to hook up a hose or similar device to these faucets. Hoses for filling tanks with potable water are available at the dump station. Dispose of gray water in the sanitary sink in the restroom building or at the dump station. Sewage can be disposed of at the dump station.

*Determinations:*



1. *Restricting water use by visitors reduces the overall consumption of limited water within the Monument and controls costs.*
2. *Proper disposal of gray water and sewage is in compliance with 36 CFR 2.14 – Sanitation and Refuse.*

## **Electricity**

Electrical hookups are not available. Using extension cords for providing power to the site, vehicle, or rechargeable items is prohibited.

*Determination: Restricting electrical use by visitors reduces the overall consumption of electricity within the monument and controls costs.*

## **Fires**

Ground fires and collecting/burning of native vegetation are prohibited. Fires must adhere to the restrictions in Section 2.13.

*Determinations:*

1. *Restricting campfires to designated containers reduces the severity and number of areas impacted by campfires and reduces the chance of a wildfire igniting from sparks or other debris.*
2. *Collecting/burning of native vegetation is prohibited – 36 CFR 2.1(a)(4) – Preservation of natural resources - wood gathering/firewood prohibited.*

## **Pets**

Pets must be on a leash or under physical restraint at all times. Pets are allowed on the Palo Verde and Campground Perimeter trails, but not on the Desert View, Victoria Mine, or any other trails. Pets are not permitted in the restrooms. Pet areas are marked and available around the outside of the Campground Perimeter Trail.

Pet excrements shall be removed – 36 CFR 2.15 (a)(5).

*Determination: Throughout all National Parks, pets must adhere to 36 CFR 2.15. These restrictions have been implemented for pet safety, visitor safety, wildlife safety and resource perseverance.*

## **Wildlife, Rocks, and Plants**

Feeding wildlife is prohibited.

The removal or defacing of any rock or plant is strictly prohibited.

Shrubs and trees are not to be used as anchors for tents or for clotheslines.

*Determinations:*

1. *The feeding of wildlife is prohibited not only for the visitor's safety but for the wildlife to stay wild and not depend on human support for food. 36 CFR 2.2(a)(2)-Wildlife Protection.*
2. *To provide for future generations with the same views and enjoyment of the environment as our generation has the defacing of any rock or plant is strictly prohibited. 36 CFR 2.1 Resource protection*

## **ALAMO PRIMITIVE CAMPGROUND**

### **Camping Limit**

Permits are required. The park entrance fee and camping permit fee must be paid at the self-registration prior to camping or occupying a site. Permit must be placed on the dashboard of the vehicle so the number can be read through the windshield.

Vehicles without a current permit are subject to citation or towing at the owners expense. Length of stay is limited to 7 consecutive days, with a break of at least 30 days before a new permit can be issued.

Camping is limited to 4 established sites. Maximum capacity is 5 people per site, with a maximum of 20 people for the entire campground.

Campers may use sleeping bags, tents, passenger cars, pick-ups with camper shells or small camper units mounted in the bed of a pickup truck, or vans with pop-up style sleeper units.

All other recreational vehicles must use Twin Peaks Campground or private facilities outside the monument.

*Determinations:*

1. *Limitations on the number of vehicles and people at a site minimize damage to vegetation and topography as well as help maintain the characteristics of a National Park Service campground that visitors seek. Less restrictive measures would not provide adequate protection to park resources or provide reasonable opportunities or the type of campground experience the public seeks when visiting the monument.*
2. *Limiting camping to specific areas is necessary for the maintenance of public health and safety, protection of the environmental and scenic values, protection of natural resources, implementation of management responsibilities and equitable use of facilities and avoidance of conflict among visitor use activities. Nothing in this paragraph precludes long-term day use of the park by visitors.*

3. *Camping duration limits are intended to prevent domination of a campsite or the area by a relative few and to more equitably allocate use of the area. Time limits are also intended as a means to prevent an accumulation of impacts to camping areas. Such impacts include, but are not limited to: improvements to campsites, accumulation of body wastes and litter, expansion of campsite areas and trails and similar resource impacts.*

## **Vehicles**

Each vehicle must display a permit. Vehicles must be parked within the space provided at the assigned campsite, and no more than 2 vehicles per site are allowed.

Parking for day use/backcountry is provided on the south side of parking lot, near the pit toilet. Motorhomes and trailers are not permitted. Unregistered vehicles are subject to citation/towing at the owner's expense.

### *Determinations:*

1. *Limitations on the number of vehicles and people at a site minimize damage to vegetation and topography as well as help maintain the characteristics of a National Park Service campground that visitors seek. Less restrictive measures would not provide adequate protection to park resources or provide reasonable opportunities or the type of campground experience the public seeks when visiting the monument.*
2. *Limiting camping to specific areas is necessary for the maintenance of public health and safety, protection of the environmental and scenic values, protection of natural resources, implementation of management responsibilities and equitable use of facilities and avoidance of conflict among visitor use activities. Nothing in this paragraph precludes long-term day use of the park by visitors.*
3. *Due to limited and restrictive space larger vehicles and unregistered vehicles are not allowed at this location.*

## **Quiet Hours**

Quiet hours are 10 pm-6 am.

No generators are allowed.

Idling of vehicles for more than 5 minutes at any time of the day is prohibited.

*Determination: Regulating noise within the Monument provides opportunities for a range of visitor experiences.*

## **Water Usage/Sanitation**

Water is not available. Pit toilets are provided.

## **Electricity**

Electricity is not available.

## **Fires**

Wood fires are not permitted. Grills provided may be used for charcoal fires only.

### *Determinations:*

1. *Restricting campfires to designated containers reduces the severity and number of areas impacted by campfires and reduces the chance of a wildfire igniting from sparks or other debris.*
2. *Collecting/burning of native vegetation is prohibited – 36 CFR 2.1(a)(4) – Preservation of natural resources - wood gathering/firewood prohibited.*

## **Pets**

Pets are permitted at the Alamo Primitive Campground, but must stay within the campground area and be under physical restraint at all times.

Pets may not be left unattended at the campsite.

*Determination: Throughout all National Parks, pets must adhere to 36 CFR 2.15. These restrictions have been implemented for pet safety, visitor safety, wildlife safety and resource perseverance.*

## **Backcountry Camping Prohibited**

This section has been removed from the compendium. See Section 1.6 - Permits

*Determination: Changes in law enforcement staffing (NPS and USBP), infrastructure (border fences, surveillance towers, and bases), and educational material available to visitors have removed the need to prohibit backcountry camping.*

## **36 CFR SECTION 2.13 (a)(1)(b) - Fires**

Fires are permitted in government provided grills, self-provided grills, and/or containerized stoves at the Twin Peaks Campground, to include the group sites and the Alamo Primitive

Campground. Only containerized stove fires are permitted in designated picnic areas and the backcountry.

Wood fires are not permitted at Alamo Primitive Campground.

Fires shall be extinguished upon termination of use by smothering with clean water.

*Determinations:*

1. *Restricting campfires to designated containers reduces the severity and number of areas impacted by campfires and reduces the chance of a wildfire igniting from sparks or other debris.*
2. *Collecting/burning of native vegetation is prohibited – 36 CFR 2.1(a)(4) – Preservation of natural resources - wood gathering/firewood prohibited.*

### **36 CFR SECTION 2.15 - Pets**

Pets are prohibited in all backcountry areas and trails except for the Palo Verde Trail and the Twin Peaks Campground Perimeter Trail. Pets are permitted in public areas, such as the Kris Eggle Visitor Center area. Pets are also permitted in both Alamo Campground and the Twin Peaks Campground. Walking of pets is permitted on North Puerto Blanco Road, the road from the Kris Eggle Visitor Center to the Twin Peaks Campground, Alamo Canyon Road, and Ajo Mountain Loop Road.

(a)(5) - Pet excrements shall be removed.

(e) Park residents may keep pets in accordance with Organ Pipe Cactus Pet Policy as approved October 11, 1983. That policy is hereby adopted and made part of these orders.

*Determination: Throughout all National Parks, pets must adhere to 36 CFR 2.15. These restrictions have been implemented for pet safety, visitor safety, wildlife safety and resource perseverance.*

### **36 CFR SECTION 2.16 (a) (b) - Horses and Pack Animals**

Horses, mules, burros and llamas are designated as "pack animals".

All pack animals must be fed certified weed-free hay 7 days prior to entry in the park and during the duration of the time within the park.

Horses and pack animals are allowed in areas of the Monument including the backcountry, except in areas closed to public use, developed areas including the following: the Kris Eggle Visitor Center area, Picnic Areas, the road from the Visitor Center to the Twin Peaks Campground. Horses may be ridden on the Monument's gravel roads.

- Horse and pack stock users are required to obtain a backcountry permit for overnight trips.
- Hunting or scouting (camps used to scout future hunts of big game in adjoining USFW lands) camps are prohibited.
- Maximum group size for day trips is six people and seven horses.
- All manure dropped in or near any water source must be immediately removed to avoid contamination.
- Horses must be picketed in locations which least damage the vegetation. Animals may not be tied to trees or other vegetation.
- Any commercially guided horse or pack stock trip must be provided by an outfitter authorized to operate under the incidental business permit procedures of Organ Pipe Cactus National Monument.

*Determinations:*

1. *Based on the information and impact reports these rules have been imposed to allow for minimal damage to vegetation and topography as well as help maintain the characteristics of the National Park Service that visitors seek. Less restrictive measures would not provide adequate protection to park resources or provide reasonable opportunities or the type of experience the public seeks when visiting the monument.*
2. *Limiting camping to specific areas is necessary for the maintenance of public health and safety, protection of the environmental and scenic values, protection of natural resources, implementation of management responsibilities and equitable use of facilities and avoidance of conflict among visitor use activities.*

### **36 CFR SECTION 2.20 – Skating, Skateboards and Similar Devices**

No special determinations at this time.

### **36 CFR SECTION 2.21 (a) – Smoking**

All federal buildings and structures are closed to smoking pursuant to Executive Order 13058. Specifically smoking including e-cigarettes is prohibited in the following areas:

- Visitor Center and all offices and work buildings
- Visitor contact stations (entrance stations, campground entrance station, office)
- Campground amphitheater.
- paint storage room
- Gas Pumps to a diameter of 50 feet
- Propane storage area
- Air quality monitoring stations
- All government owned vehicles
- Shared residential quarters (Dorms)
- Multi-purpose building

- All public rest rooms
- All other areas posted as non-smoking

*Determination: Due to the health and safety factors these areas have been closed to smoking to provide a healthy and safe atmosphere for all individuals. Due to the undetermined health factors of e- cigarette.*

### **36 CFR SECTION 2.22 (a) (2) - Property**

Visitors on authorized backcountry trips are permitted to leave vehicles unattended for the period specified on their camping permits. Vehicles so parked must appropriately display the permit.

**\*\*See section 1.5\*\***

*Determination: Leaving property unattended is at the owners own risk. Permits must be visible and within compliance or the property may be impounded.*

### **36 CFR SECTION 2.23 (b) - Recreation Fees**

Visitors passing through Organ Pipe Cactus National Monument lands, via the Bates Well Road, either while exiting or entering the Cabeza Prieta National Wildlife Refuge, may do so without paying the park entrance fee, provided that the party has secured an entry permit from the Cabeza Prieta National Wildlife Refuge and that the intent of the use of park lands is not for recreational purposes. Vehicles are not allowed to park within monument boundaries unless a park entrance permit is purchased.

*Determination: Park fees must be secured before recreating within Organ Pipe Cactus National Monument. If your intent is to pass through the Monument a park fee is not required.*

### **36 CFR SECTION 2.35 (3)(i)(A) - Alcoholic Beverages and Controlled Substances**

The following areas are closed to the consumption of alcoholic beverages and/or to the possession of a bottle, can or other receptacle containing an alcoholic beverage that is open, or that has been opened, or whose seal is broken or the contents of which have been partially removed: in the Kris Eggle Visitor Center area and the Twin Peaks Campground amphitheater.

*Determination: Due to the health and safety factors these areas have been closed to consumption of alcohol to provide a healthy and safe atmosphere for all individuals.*

### **36 CFR SECTION 2.38 – Explosives**

No special determinations at this time.

### **36 CFR SECTION 2.51(e)(f) - Locations Available For Public Assemblies**

The following locations are designated for no permit required First Amendment activities involving groups of less than 25 persons:

The southern portion of the picnic area west of the visitor center (see Attachment A)

The eastern portion of the post office box pull-out south of the visitor center (see Attachment B)

*Determination: This area has been determined to be the most appropriate location for public assemblies due to its location and availability.*

### **36 CFR SECTION 2.52(c)(e) - Sale or Distribution of Printed Matter**

Sale or distribution of printed matter that is not solely commercial advertising requires a permit when the activity involves more than 25 persons or is requested for a location outside the identified designated areas. §2.52(c)(e)

*Determination: Due to the area allowed for public assemblies this is the only area allowed for printed matter.*

### **36 CFR SECTION 2.62 (a)(b) – Memorialization**

Erection of monuments requires approval from the Director.

The scattering of human ashes from cremation is only allowed with a permit issued by the Superintendent. Ashes may only be scattered in undeveloped areas, excluding springs, ponds and tinajas. The remains must meet appropriate state laws prior to dispersal.

*Determination: Due to the health and safety factors these areas are allowed for memorialization.*



### **36 CFR SECTION 3.21(a) (1) - Swimming and bathing**

Swimming or bathing is prohibited in any sources of water primarily utilized by wildlife.

*Determination: Animal's natural habits and activities can be adversely affected with human influence. Some of these activities include feeding, resting and mating.*

### **36 CFR SECTION 4.11 – Vehicle Load, Weight and Size Limits**

No special determinations at this time.

### **36 CFR SECTION 4.21 – Speed Limits**

The speed limit on the road from the Kris Eggle Visitor Center to the Twin Peaks Campground is designated 25 miles per hour. The maximum speed limit for all unpaved roads within the Monument is 25 miles per hour.

*Determination: Due to the condition and location of these roads, the speed limit has been designated to be 25 miles per hour for the safety of the individuals driving, people walking or biking on the roads and for the wildlife located near or on the roads.*

### **36 CFR SECTION 4.31 – Hitchhiking**

No special determinations at this time.

